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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

George Mothershed,

Plaintiff,

vs.

Jerome K. Elwell; et al.,

Defendants.

No. CV 04-2594-PHX-JAT

ORDER

Pending before this Court is the Plaintiff's Motion for Reconsideration (doc. 50).

I. INTRODUCTION

The Plaintiff, George Mothershed, filed this action *pro se* on November 18, 2004. On November 27, 2004, he filed a motion for injunctive relief asking this Court to stay pending state court litigation and review several interlocutory orders entered by various state court judges. Subsequently, the Defendants filed various motions to dismiss and a request for sanctions.

The Court denied the Plaintiff's request for injunctive relief at a hearing on December 20, 2004. On June 7, 2005, the Court issued an Order: (1) clarifying the basis for its denial of the Plaintiff's request for injunctive relief; (2) granting the Defendants' motions to dismiss; (3) granting in part and denying in part the Defendants' request for sanctions; (4) terminating the case; and (5) ordering that the Plaintiff "shall not file in federal court any new action or any motion of any kind in an existing or previously existing action that in any way relates

1 to or arises from Plaintiff's father's trust and/or its administration unless Plaintiff obtains
2 counsel who will file such pleadings on his behalf."

3 On June 17, 2005, the Plaintiff filed, without counsel, a Rule 59(e) Motion to Alter
4 or Amend Judgment Order and requested oral argument. The Plaintiff's motion set forth
5 numerous arguments, many of which were already raised in the Plaintiff's request for
6 preliminary injunction and/or his opposition to the Defendants' motions to dismiss. On June
7 22, 2005, the Defendants filed a Motion to Strike, or in the alternative, Motion for Direction.

8 On January 13, 2006, the Court issued an Order: (1) holding that the Plaintiff failed
9 to set forth any grounds to cause the Court to reconsider, alter, or amend its June 7, 2005,
10 Order; (2) denying the Plaintiff's Rule 59 Motion to Alter Judgment; and (3) denying the
11 Defendants' Motion to Strike and Alternative Motion for Direction as moot.

12 On January 23, 2006, the Plaintiff, again appearing *pro se*, filed a Motion to
13 Reconsider. The Plaintiff now asks the Court to reconsider and "voluntarily vacate" both the
14 June 7, 2005, Order terminating this case, and the January 13, 2006, Order declining to
15 reconsider and/or set aside the Court's June 7, 2005, Order.

16 The Court declines to reconsider its January 13, 2006, Order denying reconsideration.
17 This case has been terminated. If the Plaintiff disagrees with this Court's rulings his remedy
18 is through the normal appellate process. *Database Am., Inc. v. Bellsouth Adver. & Pub'g*
19 *Corp.*, 825 F.Supp. 1216, 1220 (D. N.J. 1993); *Refrigeration Sales Co. v Mitchell Jackson,*
20 *Inc.*, 605 F.Supp. 6, 7 (N.D. Ill. 1983).

21 On June 7, 2005, the Court explicitly ordered the Plaintiff not to file any further
22 motions in this action without first obtaining counsel to assist him and file pleadings on his
23 behalf. Since that date, the Plaintiff has filed two motions without counsel. Any further
24 motions to reconsider filed in this matter will be stricken. The Plaintiff is advised that
25 continued filing of frivolous motions in this action may result in this Court issuing an Order
26 to Show cause why the Plaintiff should not be sanctioned.

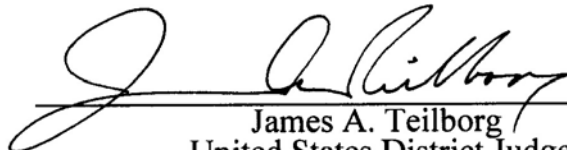
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1 Accordingly,

2 **IT IS ORDERED DENYING** the Plaintiff's Motion to Reconsider (doc. 50).

3 **IT IS FURTHER ORDERED** the Clerk of the Court shall strike any further motions
4 to reconsider, vacate, or set aside filed by the Plaintiff in this matter.
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7 DATED this 10th day of March, 2006.
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11 James A. Teilborg
United States District Judge
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